

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 15-0756**

**WASSEF v. ARIZONA STATE BOARD OF DENTAL EXAMINERS**

**Appellate Case Information**

Case Filed: 18-Nov-2015  
Case Closed:

**Dept/Composition**

**Department E**

Hon. Kent E Cattani  
Hon. Lawrence F Winthrop  
Hon. Rick A Williams

**Side 1. MICHAEL WASSEF, Plaintiff/Appellant**

**(Litigant Group) WASSEF**

• Michael Wassef

**Attorney for: Plaintiff/Appellant**

Mark D Chester, Esq. (AZ Bar No. 11423)

**Side 2. ARIZONA STATE BOARD OF DENTAL EXAMINERS, through its Executive Director ELAINE HUGUNIN, Defendant/Appellee**

**(Litigant Group) AZ BOARD OF DENTAL**

• Arizona State Board of Dental Examiners

**Attorney for: Defendant/Appellee**

Michael Raine, Esq. (AZ Bar No. 27509)

• Elaine Hugunin

**CASE STATUS**

Dec 13, 2016....**Decision Rendered**

**PREDECESSOR CASE(S)**

MAR LC2014-000547-001

**Cause/Charge/Class**

**Judgment/Sentence**

**Judge, Role <Comments>**

**Trial**

**Dispo**

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:** Wednesday, December 28, 2016

*Re: MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Lawrence F Winthrop - Concur;  
Hon Rick A Williams - Concur*

**Petition for Review to ASC due**

**Due By:** Thursday, January 12, 2017

*Re: MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Lawrence F Winthrop - Concur;  
Hon Rick A Williams - Concur*

**CASE DECISION**

**13-Dec-2016 MEMORANDUM DECISION**

Kent Cattani.....Author

Filed: 13-Dec-2016

Mandate:

Lawrence Winthrop.....Concur

Rick Williams.....Concur

Decision Disposition

**Affirmed**

**36 PROCEEDING ENTRIES**

1. 18-Nov-2015 FILED: Application For Stay Of Administrative Order Pending Appeal; Notice of Appearance; Certificate of Service; Exhibits I-VI (Appellant)
2. 19-Nov-2015 ORDERED: directing appellee to file a response to application on/before 12/3/15. FURTHER ORDERED: Directing appellant to file a reply on/before 12/15/15. FURTHER ORDERED: Staying Arizona State Board of Dental Examiners' 8/22/14 order suspending appellant's license to practice dentistry pending this court's ruling on application. Hon Randall M Howe - Author
3. 23-Nov-2015 RECEIPT No.: 2015-01637 ; \$280.00, Authorization: 27008135748, Applied to: WASSEF - Class A Filing Fee (\$280.00) Paid for: Chester & Shein PC - By Integrated Resource Systems IN
4. 3-Dec-2015 FILED: Appellee's Response to Application for Stay of Administrative Order Pending Appeal; Certificate of Service (Appellee)
5. 4-Dec-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
6. 4-Dec-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/6/15
7. 8-Dec-2015 FILED: Notice to Parties re: Appellant's Fee Paid/No Appellee's Fee/Appellant's Case Management Statement/Brief Due

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8. 15-Dec-2015 FILED: Reply in Support of Application for Stay of Administrative Order Pending Appeal; Certificate of Service; Exhibits (Appellant)
9. 28-Dec-2015 FILED: Case Management Statement (Appellant)
10. 5-Jan-2016 ORDERED: Application For Stay Of Administrative Order Pending Appeal (Appellant) = GRANTED, pending further order of this Court, Arizona State Board of Dental Examiners' 8/22/14 order suspending appellant's license to practice dentistry. FURTHER ORDERED: Stay is conditioned on following: 1) appellant must continue random twice-monthly screenings w/ Treatment Assessment Screening Center and 2) appellant must arrange to have results of his twice-monthly screenings forwarded directly and promptly to counsel for appellee, or counsel's designee, for review and monitoring. FURTHER ORDERED: Appellee may ask Court to terminate stay if appellant fails to comply w/ conditions in this order. Hon Diane M Johnsen - Author
11. 22-Jan-2016 FILED: Stipulation to Extend Time to File Opening Brief; Certificate of Service (Appellant)
12. 25-Jan-2016 ORDERED: Stipulation to Extend Time to File Opening Brief; (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-08-2016 to Friday, 03-04-2016. Barbara Vidal Vaught ProTem Judge - Author
13. 3-Mar-2016 FILED: Unopposed Motion to Extend Time for Appellant to File Opening Brief; Certificate of Service (Appellant)
14. 4-Mar-2016 ORDERED: Unopposed Motion to Extend Time for Appellant to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 03-04-2016 to Tuesday, 03-08-2016. Barbara Vidal Vaught ProTem Judge - Author
15. 8-Mar-2016 FILED: Opening Brief of Appellant Michael Wassef, D.D.S.; Certificate of Compliance; Certificate of Service
16. 12-Apr-2016 FILED: Motion For Extension Of Time To File Answering Brief; Certificate of Service (Appellee)
17. 12-Apr-2016 FILED: Appellee's Certificate Of Service For Motion For Extension Of Time (Appellee)
18. 13-Apr-2016 ORDERED: Motion For Extension Of Time To File Answering Brief (Appellee) = GRANTED in part. Due date EXTENDED from Monday, 04-25-2016 to Wednesday, 05-25-2016. Barbara Vidal Vaught ProTem Judge - Author
19. 25-May-2016 FILED: Answering Brief; Certificate of Compliance for Appellee's Answering Brief; Certificate of Service for Appellees' Answering Brief (Appellee)
20. 10-Jun-2016 FILED: Unopposed Motion to Extend Time for Appellant to File Reply Brief; Certificate of Service (Appellant)
21. 13-Jun-2016 ORDERED: Motion to Extend Time for Appellant to File Reply Brief (Appellant) = GRANTED in part. Due date EXTENDED from Monday, 06-20-2016 to Monday, 07-11-2016. Melina Brill ProTem Judge - Author
22. 11-Jul-2016 FILED: Reply Brief of Appellant Michael Wassef, D.D.S.; Certificate of Compliance; Certificate of Service (Appellant)
23. 14-Jul-2016 FILED: Request for Oral Argument; Certificate of Service (Appellant)
24. 1-Aug-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25. 4-Aug-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
26. 11-Aug-2016 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Oral argument will be scheduled in the normal course of the court's civil appeals calendar, and the court will notify counsel of the date. Hon Michael J Brown - Author
27. 26-Sep-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 11-9-16, 02:30 pm, COURTROOM 1.
28. 4-Oct-2016 FILED: Notice of Oral Argument
29. 4-Oct-2016 FILED: Receipt for Notice of Oral Argument, signed by Michael Raine on 10/04/2016 (Appellee)
30. 11-Oct-2016 FILED: Unopposed Motion to Postpone and Continue Oral Argument; Certificate of Service (Appellant)
31. 14-Oct-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 11-16-16, 02:30 pm, COURTROOM 2.
32. 14-Oct-2016 ORDERED: Unopposed Motion to Postpone and Continue Oral Argument (Appellant) = GRANTED/vacating oral argument in the above referenced case currently scheduled for 11/09/2016 at 2:30 p.m. FURTHER ORDERED: resetting oral argument in this matter on 11/16/2016 at 2:30 p.m. before Department E in Courtroom 2. Each side is allocated twenty minutes in which to present oral argument. Hon Kent E Cattani Judge - Author
33. 8-Nov-2016 FILED: Receipt for Notice of Oral Argument, signed by Mark Chester on 10/04/2016 (Appellant)
34. 16-Nov-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 11/16/2016 (Dept E)

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| 35. | 13-Dec-2016 | MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Lawrence F Winthrop - Concur; Hon Rick A Williams - Concur |
| 36. | 13-Dec-2016 | FILED: Memorandum Decision Distribution List   |